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July 27, 2007

Via electronic filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Cable & Communications Corporation
CC Docket No. 94-102
August 1, 2007 Report

Dear Ms. Dortch:

Pursuant to the Commission's *Order*,¹ Cable & Communications Corporation ("C&CC") hereby submits the following report on its progress in achieving the goal of 95% penetration of ALI-capable handsets among its subscribers.

Summary

As noted in its May 1, 2007 report, C&CC has enjoyed consistent but gradual progress in meeting the ALI-compliant handset penetration benchmark. In its last report, C&CC also expressed its concern that the current September 23, 2007 deadline might not provide sufficient time within which to meet the ultimate 95% penetration goal. On July 19, 2007, C&CC reiterated this concern as a formal request for an extension of the existing deadline.² Although C&CC can today report that its penetration rate stands at approximately 85%, it anticipates that only approximately 87% of its subscribers will be utilizing ALI-conforming handsets as of the current deadline.

With a growth rate currently averaging approximately only one percent per month despite aggressive and targeted marketing, C&CC has also reported that the current analog subscribers are the most hardened, and are, frankly, unlikely to relinquish their noncompliant handsets. While C&CC intends to continue its vigorous marketing effort, it anticipates that its conversion success rate will fall below the current one-percent-per-month rate. C&CC also anticipates, however, that the addition of new subscribers, all of whom are, by definition, utilizing compliant equipment, will compensate somewhat for the decreasing willingness of existing analog subscribers to give up equipment that suits their current requirements. Moreover, as C&CC's construction plans for the next twelve months include the initial introduction of cellular services into areas heretofore without any wireless service, new subscribership should be invigorated, and, importantly, overall public safety will be enhanced as the availability of wireless service is extended into unserved areas.

¹ *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Cable & Communications Corporation Petition for Waiver of Section 20.18(g)(1)(v) of the Commission's Rules, *Order*, FCC 06-39 (rel. Mar. 23, 2006) ("*Order*"). The *Order* granted Cable & Communications Corporation ("C&CC") an extension of 18 months after its release to meet the requirement of Section 20.18(g)(1)(v) that 95% of the handsets used by its subscribers be location-capable, subject to specific conditions and reporting requirements.

² *See In the Matter of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Cable & Communications Corporation Petition for Waiver of Section 20.18(g)(1)(v) of the Commission's Rules (CC Docket No. 94-102) Petition for Extension of Waiver of Cable & Communications Corporation, filed July 19, 2007 ("Petition"). C&CC seeks an additional twelve months to reach the 95% penetration benchmark, anticipating that it will be able to achieve an average of less than one percent per month progress toward that goal over the next year.

C&CC has and will maintain its diligent and focused education and marketing efforts, and, in accordance with paragraph 21 of the *Order* and its past practices, will continue to coordinate with area PSAPs and other emergency service providers, keeping them apprised of activities and progress in meeting handset penetration goals. C&CC serves PSAPs with copies of all FCC filings related to this issue, and maintains regular contact through occasional telephone conversations and meetings.

In recognition of the remaining condition imposed by paragraph 21 of the *Order*, C&CC reports also its continuing regular reminders to subscribers that upgrading their analog handsets will enable them to transmit their location information automatically once PSAPs have implemented Phase II E911 capabilities. In addition, C&CC will inform subscribers when Phase I and Phase II requests are received from PSAPs, and will provide regular updates regarding the anticipated implementation dates.

Report

Pursuant to paragraph 22 of the *Order*, C&CC provides the following information:

(1) The number and status of Phase II requests from PSAPs (including those requests it may consider invalid):

C&CC has received no official Phase I or Phase II request from any PSAP.

(2) The estimated dates on which Phase II service will be available to PSAPs served by its network:

C&CC provides cellular service to a geographic area served by nine (9) different PSAPs in Montana and one in North Dakota. Each Montana PSAP is willing to work with C&CC regarding the timing for implementation of a Phase I or Phase II request. C&CC's May 1, 2006 Report provided detailed information regarding the status of E-911 implementation plans for each PSAP, and the company has updated that information in its subsequent reports. There has been no change in status since C&CC's May 1, 2007 report.

(3) The status of its coordination efforts with PSAPs for alternative 95% handset penetration dates

As reported above, all PSAPs have been informed of the extension until September 23, 2007, or eighteen months after the release of the *Order*, and each PSAP was served with C&CC's July 19, 2007 Petition for an extension of that date. All Montana PSAPs have indicated a willingness to work closely with C&CC regarding Phase II implementation schedules.

(4) Efforts to encourage customers to upgrade to location-capable handsets:

C&CC continues its two-prong approach to encouraging customers to upgrade their handsets through subscriber education and the provision of subscriber upgrade incentives.

C&CC continues its marketing campaign to encourage utilization of a digital handset, offering a free phone and free activation to analog subscribers who trade existing equipment for a compliant digital phone, plus a \$50 usage credit. C&CC has also introduced a new incentive – the elimination of a contract commitment term for analog subscribers upgrading to a LG5000 digital phone. In addition, C&CC continues to advertise its conversion program over local radio. Posters promoting the campaign are displayed in each business office, and at recent open house promotional campaigns. Billing inserts and cable advertising are also utilized to remind subscribers of the benefits of digital upgrades. Examples of advertising and outreach efforts are attached. Promotions and upgrade incentive programs, as well as customer educational information, are also available on C&CC's web site.

As reported in C&CC's July 19, 2007 Petition, a recent survey was virtually ignored by analog subscribers, 92% of whom disregarded the offer of a billing credit in exchange for simply reporting to C&CC the terms under which they would convert to a compliant digital handset. Nonetheless, C&CC followed up with each analog subscriber by phone, and, as anticipated, the relative coverage area differential between analog and digital handsets

emerged as the most frequently cited reason for reluctance to abandon analog handsets. To address this issue, C&CC continues its build-out program to improve service. C&CC's new Alzada site recently became operational, and the construction of a total of six new sites is planned during the next twelve months

(5) Percentage of customers with location-capable phones:

C&CC reports that approximately 85% of its customers had location-capable phones as of July 25, 2007.

(6) Status in achieving compliance and whether it is on schedule to meet the revised deadline

C&CC reports its inability to meet the revised 95% penetration goal for this reporting period, and, accordingly, has filed its Petition for an extension of the current September deadline. C&CC anticipates that it will be able to increase its penetration rate by somewhat less than one percent per month over the requested year's extension, resulting in achieving the 95% goal by October 1, 2008.

Please direct any questions or correspondence concerning this matter to this office.

Respectfully submitted,


Sylvia Lesse

Sign for a new cellular service plan, extend an existing contract*, or trade in an active analog phone, and receive a FREE phone - choose from...**

**FREE
RAZR V3c****FREE
V266****FREE
LG 5000****RAZR V3m
with data kit
for \$25****FREE
E815****Offer expires
May 31st!****Sign for text messaging and
receive the first month FREE!****Announcing LOWER PRICING on
additional phones!**Existing phones at \$13.95 now **\$9.95!**Existing phones at \$10.95 now **\$8.95!****New rates starting April 1st**

*Two-year contract and/or extensions are required. Existing contracts with 12 months or less remaining on contract are eligible for the promotional free phone with a two-year extension; existing contracts with 13 months or more remaining on contract are eligible for a promotional phone at 1/2 price with a two-year extension.

**Receive a \$50 credit with trade-in of an active analog cell phone.

Turn this over for more information about Mid-Rivers Cellular.

Mid-Rivers Cellular • 1-800-452-2288 • www.midrivers.com

To take advantage of the future implementation of Emergency location capabilities, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the 911 centers, that information will be sent automatically from a digital cellular phone. Therefore, it is recommended that you procure a digital cellular phone as soon as possible.

611 SERVICE INFORMATION

Mid-Rivers Customers:
When dialing 611, you will be connected to Mid-Rivers' Technical Assistance Center; when roaming on another provider's tower, you will be routed to Mid-Rivers as long as the provider subscribes to the 611 service.

Turn this over for information about Mid-Rivers Cellular's latest cellular promotion.

Sign for a new cellular service plan, extend an existing contract*, or trade in an active analog phone, and receive a FREE phone - choose from...**



Announcing LOWER PRICING on additional phones!

Existing phones at \$13.95 now **\$9.95!**
Existing phones at \$10.95 now **\$8.95!**

Sign for text messaging and receive the first month FREE!

*Two-year contract and/or extensions are required. Existing contracts with 12 months or less remaining on contract are eligible for the promotional free phone with a two-year extension; existing contracts with 13 months or more remaining on contract are eligible for a promotional phone at 1/2 price with a two-year extension.

**Receive a \$50 credit with trade-in of an active analog cell phone.

Turn this over for more information about Mid-Rivers Cellular. Mid-Rivers Cellular • 1-800-452-2288 • www.midrivers.com

Notice to Mid-Rivers Cellular Customers with Service Plans Containing Unlimited Nationwide Long Distance

Long distance is **ONLY FREE IF YOU ARE USING YOUR CELL PHONE ON A MID-RIVERS TOWER**. If you are **ROAMING**, long distance and airtime charges **WILL APPLY!** While on a call, your phone will indicate if you are roaming. If you have any questions please contact Customer Service.

To take advantage of the future implementation of **Emergency location capabilities**, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the 911 centers, that information will be sent automatically from a digital cellular phone. Therefore, it is recommended that you procure a digital cellular phone as soon as possible.

Turn this over for information about Mid-Rivers Cellular's latest cellular promotion.

Mid-Rivers Cellular

Your LOCAL cellular company
providing great plans with great service

Mid-Rivers Promotions

Choose from:

**FREE
LG 5000**

No contract
required with
the LG5000



**FREE
RAZR V3c**



**RAZR V3m
with data
kit for \$25**



**FREE
V266**



**FREE
E815**



**Promotion
expires
June 29th!**

Sign for a new cellular service plan, extend an existing contract*, or trade in an active analog phone**, and receive a **FREE** phone of your choice and...

- Sign for Mid-Rivers Text Messaging and receive the first month **FREE**
- Your name will be entered for a chance to win an outdoor patio set!

Cable & Communications Corporation, d.b.a.

Mid-Rivers

C E L L U L A R

1-800-452-2288

www.midrivers.com

Promotions expire June 29, 2007.

Mid-Rivers Cellular

- LOCAL Office
- LOCAL Employees
- Dedicated to serving Eastern Montana
- Cellular plans to meet your family's needs.

*Two-year contract and/or extensions are required. Existing contracts with 12 months or less remaining on contract are eligible for the promotional free phone with a two-year extension; existing contracts with 13 months or more remaining on contract are eligible for a promotional phone at 1/2 price with a two-year extension.

**Receive a \$50 credit with trade-in of an active analog cell phone.

Circle Headquarters
904 C Ave ♦ Circle, Montana
485-3301

Mid-Rivers Cellular

Sign for a new cellular service plan or extend an existing contract and receive a **FREE KRAZR!**

Other free phone options are available.

Two-year contract and/or extensions are required. Existing contracts with 12 months or less remaining on contract are eligible for the promotional free phone with a two-year extension; existing contracts with 13 months or more remaining on contract are eligible for a promotional phone at 1/2 price with a two-year extension. Analog phone customers, when upgrading to the LG5000 digital phone no contract is required, other digital phones require a two-year contract.



Promotion runs:

July 1st
to
Aug. 31st

Analog Customers:

Trade in your analog cell phone for a digital phone and receive a FREE phone and a \$50 credit per active analog phone you trade in.

Capture Your Memories!

Sign for a new cellular service plan or extend your existing contract and your name will be entered for a chance to win a Canon PowerShot A710 IS Digital Camera, 1GB Memory Card and Camera Case!

Drawing will take place September 28th



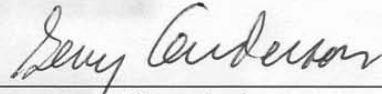
Mid-Rivers Cellular • 1-800-452-2288 • www.midrivers.com

DECLARATION OF GERRY ANDERSON

I, Gerry Anderson, General Manager of Cable & Communications Corporation, do hereby declare under penalty of perjury that I have read the foregoing "August 1, 2007 Report" and that the facts stated therein are true and correct, to the best of my knowledge, information and belief.

07/27/2007

Date



Gerry Anderson

Certificate of Service

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, hereby certify that on this 27th day of July, 2007, I caused to be delivered, via first-class US mail, postage prepaid, a copy of the foregoing "August 1, 2007 Report" on the following:

Captain Kevin Krausz
Miles City Police Dept.
PSAP for Custer County, Montana
PSAP for Garfield County, Montana
2420 Bridge Street
Miles City MT 59301

Sheriff Kelly Pierson
Garfield County Sheriff's Office
PO Box 103
Jordan MT 59337

Chief Alan Michaels
Glendive Police Department
PSAP for Dawson County, Montana
PO Box 1372
Glendive MT 59330

Chuck Lee
PSAP Manager - Fallon County
PSAP for Fallon, Carter,
Prairie and Wibaux Co's, MT
PO Box 1061
Baker, MT 59313

Sheriff Rusty Jardee
Carter County Sheriff
PO Box 323
Ekalaka MT 59324

Russ Lindblom
North Dakota 911 Manager
PO Box 877
Bismarck, ND 58502-0877

Jeff Cohen*
Public Safety & Homeland Security Bureau
Federal Communications Commission
445 Twelfth St, SW
Washington, DC 20554

Dana Shaffer, Deputy Chief*
Public Safety & Homeland Security Bureau
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554

* Via electronic mail

Sheriff William Klunder
Prairie County Sheriff's Office
PO Box 126
Terry MT 59349

Sheriff Darby S. Harrington
Wibaux County Sheriff's Office
PO Box 322
Wibaux MT 59353

Sheriff Dave Harris
McCone County Sheriff's Office
PSAP for McCone County, Montana
905 B Avenue, PO Box 201
Circle, MT 59215

Sheriff John Blain
Powder Riv. Co. Sheriff's Office
PSAP for Powder River Co., MT
Box 71 Courthouse Square
Broadus MT 59317

Sheriff Brad Baisch
Richland County Sheriff's Office
PSAP for Richland Co., MT
110 2nd Ave NW
Sidney, MT 59270

Lisa Solf
Petroleum County PSAP
PO Box 226
Winnett, MT 59087

Jim Kenner, IT Dept.
Rosebud County Sheriff's Office
Box 85 180 S 13th St
Forsyth, MT 59327


Sylvia Lesse